

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

FRANCIS SCHAEFFER COX,

Plaintiff,

v.

HUGH J. HURWITZ, Acting Director of Federal Bureau of Prisons; GARY BURGESS; KATHY HILL; KATERINE SIEREVELD; RICHARD BLYTHE; UNKNOWN PARTIES 1-3; and WILLIAM TRUE, Warden of USP-Marion,

Defendants.

Case No. 17-cv-1334-JPG-SCW

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff Francis Schaeffer Cox's motion to voluntarily dismiss this case because he has reached an agreement with the defendants (Doc. 46). The remaining named defendants have responded by counsel stating that counsel is unaware of any agreement but that if Cox has worked things out with Bureau of Prisons personnel and wants to dismiss this case, the remaining defendants have no objection (Doc. 47).

The Court construes Cox's motion as pursuant to Federal Rule of Civil Procedure 41(a)(2). Rule 41(a)(2) provides that only the Court may dismiss an action after an adverse party has filed an answer or motion for summary judgment and in the absence of a stipulation of dismissal of an entire case signed by all the parties. There being no objection to dismissal of this case, the Court **GRANTS** Cox's motion (Doc. 46), **DISMISSES** all claims in this case **with prejudice**, and **DIRECTS** the Clerk of Court to enter judgment accordingly.

**IT IS SO ORDERED.
DATED: October 2, 2018**

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE